



04-22 -04

B

Express Mail No. EV449558847US

**TRANSMITTAL  
FORM**(To be used for all correspondence  
after initial filing)

Application Number	10/081,700
Filing Date	February 22, 2002
First Named Inventor	Joo Hwa Tay
Art Unit	1724
Examiner Name	Chester T. Barry
Attorney Docket No.	690105.401

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group ( <i>Appeal Notice, Brief, Reply Brief</i> ) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Additional Enclosure(s) ( <i>please identify below</i> ): Response to Examiner's Comment: _____ Copy of Declaration of Yu Liu: _____ Copy of postcard as stamped and returned by U.S.P.T.O. _____
---	---	---

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual Name	Carol J. Roth Registration No. 32,783	Customer Number <b>00500</b>
Signature		
Date	April 21, 2004	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	~~ Sent via Express Mail ~~	
Signature		Date:

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Express Mail No. EV449558847US  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Joo Hwa Tay et al.  
Application No. : 10/081,700  
Filed : February 22, 2002  
For : AEROBIC BIOMASS GRANULES FOR WASTE WATER  
TREATMENT

Examiner : Chester T. Barry  
Art Unit : 1724  
Date of Notice  
of Allowance : April 8, 2004  
Docket No. : 690105.401  
Date : April 21, 2004

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO EXAMINER'S COMMENT

Commissioner for Patents:

Applicants submit this in response to the Examiner's Comment in the Notice of Allowance, dated April 8, 2004, in the above-identified patent application.

**Remarks/Arguments** begin on page 2 of this paper.

REMARKS

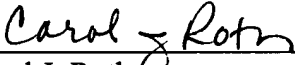
In the Notice of Allowance, dated April 8, 2004, the Examiner commented that "[o]f the two 132 declarations to which applicants refer in their timely response, only the declaration by Joo-Hwa Tay was received ...". Examiner further commented that the Tay declaration alone was sufficient in overcoming the rejections of record and that she considered it unnecessary for Applicants to resubmit the missing declaration.

However, in the interest of completing the file history of the above-identified patent application, Applicants are re-submitting herewith a copy of the missing Declaration of Yu Liu under 37 CFR 1.132 ("the Declaration"). The undersigned attorney certifies that the enclosed copy is a true copy of the Declaration as originally submitted on March 11, 2004, as evidenced by the attached copy of the return postcard.

Entry of this response and the enclosed copy of the Declaration is respectfully requested in order to complete the file history of the above-identified patent application.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC

  
\_\_\_\_\_  
Carol J. Roth  
Registration No. 32,783

CJR:cew

Enclosures:

Copy of Declaration of Yu Liu

Copy of postcard as stamped and returned by U.S.P.T.O.

701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092  
Phone: (206) 622-4900  
Fax: (206) 682-6031

475872\_1.DOC

Express Mail No. EV449558847US



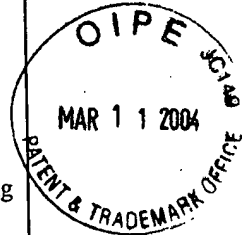
Express Mail No. EV449555580US

690105.401  
CJR:cew

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SENT: March 11, 2004  
DUE: March 11, 2004

Date Stamp



Kindly acknowledge receipt of the below-listed documents by placing your receiving stamp hereon and mailing:

Transmittal Form; Amendment; Declaration of Joo-Hwa Tay Under 37 C.F.R. 1.132 (2 pages); Declaration of Yu Liu Under 37 C.F.R. 1.132 (2 pages); in re: Joo Hwa Tay et al., USAN 10/081,700, filed February 22, 2002, for AEROBIC BIOMASS GRANULES FOR WASTE WATER TREATMENT.

464483\_1.DOC

Seed